

King-Hackney, Ashadee

From: Manville, Jennifer
Sent: Monday, December 07, 2015 11:45 AM
To: Manville, Jennifer
Subject: Fw: L'Anse Warden
Attachments: KBIC Swartzletter.Jan2012 L Anse Warden Electric Co 03 20 12 v4.doc

----- Forwarded by Jennifer Manville/R5/USEPA/US on 12/07/2015 12:44 PM -----

From: Jennifer Manville/R5/USEPA/US
To: Erik Hardin/R5/USEPA/US@EPA,
Cc: Sara Breneman/R5/USEPA/US@EPA, Kestutis Ambutas/R5/USEPA/US@EPA
Date: 04/25/2012 03:23 PM
Subject: L'Anse Warden

Hi Erik,

I apologize for the telephone tag, I've been out of the office much of the last week or so. Thanks for making contact with me. I would still like to speak to you about your visit at L'Anse Warden. Also, it is my understanding from the RA's office that the draft letter from the RA to the KBIC Tribal President is to be revised based on the site visits by ARD and WD. Attached below is the last version of the letter. It would be helpful if you could provide some brief language on your visit and findings that could be incorporated into the letter.

I look forward to speaking with you soon.

Thanks,

Jenny

(See attached file: KBIC Swartzletter.Jan2012 L Anse Warden Electric Co 03 20 12 v4.doc)

Jennifer Manville, Tribal Liaison
U.S. EPA Region 5
Indian Environmental Office
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4769

▼ Fw: Call from env guy at L'Anse

Fw: Call from env guy at L'Anse

**Sara
Breneman**

to: Jennifer Manville

04/17/2012

From: Sara Breneman/R5/USEPA/US

To: Jennifer Manville/R5/USEPA/US@EPA

Jennifer,

I spoke with Denise Gawlinski, and she mentioned that you are now the point of contact for this issue. Erik Hardin, AECAB engineer, actually went to the site last week and we have videos and pictures we can share. Let me know what you need from us.

Thanks,
Sara Breneman, Chief
Air Enforcement and Compliance Assurance MI/WI Section
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd. (AE-17J)
Chicago, IL 60604
Ph: (312) 886-0243
Fax: (312) 582-5852

Protecting the environment is everyone's responsibility. Help EPA fight pollution by reporting possible harmful environmental activity. To do so, visit EPA's website at <http://www.epa.gov/compliance/complaints/index.html>

----- Forwarded by Sara Breneman/R5/USEPA/US on 04/17/2012 05:03 PM -----

From: Erik Hardin/R5/USEPA/US
To: George Czerniak/R5/USEPA/US@EPA, Sara Breneman/R5/USEPA/US@EPA
Date: 04/17/2012 03:52 PM
Subject: Call from env guy at L'Anse

I got a v.m. on my cell from the environmental guy at L'Anse. I'll try to forward or transcribe it tomorrow. The gist of it is that he is arranging a meeting with "local environmental groups" to discuss any concerns and I think his actual words were "clear up any misunderstandings".

I'll be on work travel tomorrow then back in on Thursday. If you need to reach me, my cell is 312.285.6485

D. Erik Hardin, Environmental Scientist
Air Enforcement and Compliance Assurance Section (MN/OH)
U.S. EPA, Region 5
(312) 886-2402 ofc
(312) 692-2130 fax

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Warren Swartz, Tribal Council President
Keweenaw Bay Indian Community
107 Beartown Road
Baraga, Michigan 49908

Dear President Swartz:

Thank you for taking the time to attend the listening session on mining that the U.S. Environmental Protection Agency held on January 26, 2012, in Marquette, Michigan. I appreciated your comments on the regulatory process for mining operations.

During the listening session, you raised concerns about potential contamination to Keweenaw Bay from precipitation runoff and windblown material from railroad ties used as a fuel source at the L'Anse Warden Electric Company. The Michigan Department of Environmental Quality (MDEQ) regulates both the power plant and the fuel stockpiles at L'Anse Warden Fuel Aggregate, both of which are located off reservation. MDEQ has visited the facility and found no irregularities from the on-site chipping operation. Based on the current regulations under the Clean Air Act, EPA has not identified any violation at this facility.

L'Anse Warden Fuel Aggregate must be authorized under the Clean Water Act to discharge storm water associated with industrial activity. The facility has a storm water prevention plan and the operator has submitted a Notice of Intent (NOI) for coverage under MDEQ's industrial storm water general permit. MDEQ is currently processing the NOI. In March 2011, MDEQ inspected the facility and was satisfied with the storm water controls. After the NOI is processed, the facility is expected to have adequate controls in place to address precipitation runoff.

Again, thank you for attending the listening session. I look forward to further discussions with you and other tribal leaders on how we can work together to protect tribal resources. If you have further questions, please contact me at (312) 886-3000 or your staff contact Jennifer Manville, Michigan Tribal Liaison, at (231) 922-4769 or manville.jennifer@epa.gov.

Sincerely,

Susan Hedman
Regional Administrator